

Prob 12B

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OR TERM OF SUPERVISION  
WITH CONSENT OF THE OFFENDER**

*(Probation Form 49, Waiver of Hearing, is on file)*

**Offender Name:** Israel Alejandro Casas  
**Docket Number:** 1:02CR05437-01 OWW  
**Offender Address:** Fresno, California  
**Judicial Officer:** Honorable Oliver W. Wanger  
Senior United States District Judge  
Fresno, California  
**Original Sentence Date:** 07/06/2004  
**Original Offense:** 18 USC 1708, Theft of Mail Matter  
(CLASS D FELONY)  
**Original Sentence:** 39 months custody BOP; 36 months supervised release; \$100 special assessment; \$11,209.11 restitution; Mandatory drug testing  
**Special Conditions:** 1) Search; 2) No dissipation of assets; 3) Provide access to any requested financial information; 4) No new credit charges or additional lines of credit; 5) Drug/alcohol treatment; 6) Drug/alcohol testing; 7) Mental health counseling; 8) Aftercare co-payment  
**Type of Supervision:** Supervised Release  
**Supervision Commenced:** 02/12/2007  
**Assistant U.S. Attorney:** Stanley A. Boone      **Telephone:** (559) 497-4000  
**Defense Attorney:** Melody Walcott      **Telephone:** (559) 487-5561  
**Other Court Action:** None

**RE: Israel Alejandro Casas**

**Docket Number: 1:02CR05437-01 OWW**

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**PETITIONING THE COURT**

**To modify the conditions of supervision as follows:**

The defendant shall abstain from the use of alcoholic beverages and shall not frequent those places where alcohol is the chief item of sale.

**Justification:** On September 19, 2008, the supervisee was contacted and later detained by the Woodlake Police Department for suspicion of driving under the influence of a controlled substance. According to crime report number 08-1406, officers observed the supervisee driving a Toyota 4Runner and playing his music loud within a residential area. Officers proceeded to follow the supervisee and observed him park the vehicle in the driveway of a residence owned by his girlfriend.

Officers met with the supervisee once he exited the vehicle and was ordered to return into the vehicle. While speaking with the supervisee through the passenger side window, the contacting officer smelled an odor of an alcoholic beverage emitting from inside the vehicle.

The officer noticed an open Michelob beer bottle, half empty, in the center console of the truck. There was a six pack of Michelob beer on the floor board that had two beers missing. Because of his nervous behavior, the officers suspected that he may be under the influence of a stimulant drug. Officers detained the supervisee and transported him to the Woodlake Police Department for a controlled evaluation. A blood sample was subsequently obtained and sent to the Mineral King Lab for further analysis. The supervisee was released to his girlfriend Veronica Florez.

Results from Mineral King Lab showed no signs of drug use; however, the supervisee had a blood alcohol level of .02.

The undersigned officer contacted the Tulare County Superior Court-Visalia Division and spoke with the court clerk. According to court records, the supervisee has been cited for two infractions only, to wit: Loud Amplification and Possession of an Open Container. The district attorney declined to file Driving Under the Influence charges. Further, the supervisee presented a copy of the *Order of Set Aside or Reinstatement* from the Department of Motor Vehicle (DMV) reflecting that action taken by the DMV suspending his California Drivers License was set aside and that his drivers license was reinstated.

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On November 12, 2008, the undersigned officer met with the supervisee at the United States Probation Office to discuss his conduct, the outcome of the most recent law enforcement contact, and its possible consequences. Considering the overall case, it appears that this technical violation is the first sign of noncompliance by the supervisee. He has held steady employment and has maintained residency in the Fresno area. He has been, for the most part, compliant and cooperative with the undersigned officer. He has made payment towards his restitution to the best of his ability and he is attending Fresno Pacific College-satellite office in Visalia. For that reason, he is requesting to relocate to the Woodlake area to live with his girlfriend and their future baby.

As such, the undersigned officer recommends that no adverse action be taken at this time. However, it is recommended that his special conditions be modified to include alcohol restrictions. The supervisee agreed with the modification and signed the *Waiver of Hearing to Modify Conditions of Supervised Release*, which is attached.

Respectfully submitted,

/s/ Jose T. Pulido

**Jose T. Pulido**  
**United States Probation Officer**  
Telephone: (559) 499-5725

**DATED:** December 8, 2008  
Fresno, California  
jtp

**REVIEWED BY:** /s/ Hubert J. Alvarez  
**HUBERT J. ALVAREZ**  
**Supervising United States Probation Officer**

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**THE COURT ORDERS:**

- ( X ) Modification approved as recommended.
- ( ) Modification not approved at this time. Probation Officer to contact Court.
- ( ) Other:

IT IS SO ORDERED.

**Dated: January 12, 2009**

**/s/ Oliver W. Wanger**  
UNITED STATES DISTRICT JUDGE